

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Natasha DeLima

v.

Civil No. 17-cv-733-PB

YouTube, Inc. et al.

O R D E R

Plaintiff Natasha DeLima has filed a complaint (Doc. No. 1) in this matter, asserting claims against defendants YouTube, Inc.; Facebook; Twitter, Inc.; Google, Inc.; Blogspot.com; Patreon; and GoFundMe. Because DeLima is proceeding in forma pauperis, the complaint is before the court for preliminary review. See 28 U.S.C. § 1915(e); LR 4.3(d)(2). DeLima has also made the following filings in this case, which are before the court for consideration:

- "Motion to Stay Twitter's Unlawful Proposal to 'Spy' 'Monitor' & 'Censor' Subscribers On & Off Usage of the Website = Twitter" (Doc. No. 3);
- "Motion to Consolidate Federal Rule 42" (Doc. No. 4) and proposed consolidation order (Doc. No. 9);
- "Motion for Google, Twitter, Facebook, YouTube & Patreon's Contempt of Executive Order" (Doc. No. 5);
- "Request that the Court Order YouTube to Pay the Plaintiff/ Request for Oral Arguments & Exhibits Presented" (Doc. No. 6);
- "Motion for Restoration of YouTube Accounts & Termination of YouTube Illicit Demonetization" (Doc. No. 7);

- "Motion to Order Twitter to Adhere to Executive Order & Federal Laws, & to Cease Hacking, Shutting Down, Closing, Limiting, and Targeting Particular Site Users that Operate Within the Law" (Doc. No. 8); and
- a proposed service order (Doc. No. 10).

Discussion

I. Service

A. Defendants YouTube, Inc.; Facebook; Twitter, Inc.; Google, Inc.; Patreon; and GoFundMe

Upon review of the complaint (Doc. No. 1), the court finds that the matter may proceed at this time. Accordingly, the court directs that the complaint be served upon the following defendants: YouTube, Inc.; Facebook; Twitter, Inc.; Google, Inc.; Blogspot.com; Patreon; and GoFundMe. This court's determination that the complaint should be served is issued without prejudice to the defendants' ability to move to dismiss this action on any proper basis.

Plaintiff has provided the court with summons forms for defendants YouTube, Inc.; Facebook; Twitter, Inc.; Google, Inc.; Patreon; and GoFundMe. See Doc. No. 1-2. The court directs the clerk's office to issue those summonses, and to forward the summonses to the United States Marshal for the District of New Hampshire (the "U.S. Marshal") along with copies of: the complaint (Doc. No. 1), plaintiff's filings docketed as Document Nos. 3-10, and this Order.

Upon receipt of the necessary documentation, the U.S. Marshal's office shall serve process upon defendants YouTube, Inc.; Facebook; Twitter, Inc.; Google, Inc.; Patreon; and GoFundMe pursuant to 28 U.S.C. § 1915(d) and Fed. R. Civ. P. 4(h). Defendants are instructed to answer or otherwise plead within twenty-one days of service. See Fed. R. Civ. P. 12(a)(1)(A).

B. Defendant Blogspot.com

DeLima has not provided the court with a summons form for defendant Blogspot.com. Accordingly, the clerk's office is directed to send DeLima a blank summons form. DeLima is directed to complete that form for Blogspot.com and to return the completed summons to the clerk's office within fourteen days of the date of this Order. After receipt from DeLima of the completed summons form, the clerk's office is directed to issue the summons, and then to forward the summons to the U.S. Marshal along with copies of: the complaint (Doc. No. 1), the plaintiff's filings docketed as Document Nos. 3-10, and this Order.

Upon receipt of the necessary documentation, the U.S. Marshal's office shall serve process upon defendant Blogspot.com pursuant to 28 U.S.C. § 1915(d) and Fed. R. Civ. P. 4(h). Defendant Blogspot.com is instructed to answer or otherwise plead within twenty-one days of service. See Fed. R. Civ. P.

12(a)(1)(A).

II. Post-Service Filings

After the complaint is served, DeLima may serve documents on defendants, or their attorneys who have appeared in this action, in accordance with Fed. R. Civ. P. 5(b) or AP 2.8(b). Thus, as to any party or attorney who is not registered to use the court's electronic filing system, DeLima must serve all future pleadings, written motions, notices, or similar papers directly on defendants by delivering or mailing the materials to defendants or their attorney(s), pursuant to Fed. R. Civ. P. 5(b). As to any attorney or party that is registered to use the court's electronic filing system, DeLima need not serve a hard copy of her filings on that party or attorney, as a party using the electronic filing system will receive notice when DeLima's documents are filed in the court.

AP 2.8(b) does not cover discovery requests and responses, however, which means that paper copies of certain Rule 26 disclosures, discovery requests, and responses must still be mailed to other parties or their attorneys, pursuant to Fed. R. Civ. P. 5(d)(1). A certificate of service must be included with all filings, in accordance with Fed. R. Civ. P. 5(d)(1) and LR 5.1(d).

III. Pending Motions

DeLima's motions docketed as Doc. Nos. 4-8 are taken under advisement pending the appearance of the defendants in this matter and their response(s) to the motions. Defendants are directed to respond to each of the above-listed motions within twenty-one days of the date of service.

Conclusion

For the foregoing reasons, the court directs as follows:

1. This action is to be served at this time on defendants YouTube, Inc.; Facebook; Twitter, Inc.; Google, Inc.; Patreon; and GoFundMe; and the clerk's office is directed to effect service as set forth in this Order.


2. The clerk's office is directed to send DeLima a blank summons form. DeLima is instructed to complete the summons form for defendant Blogspot.com and return the completed form to the court within fourteen days of the date of this Order.

3. Upon receipt of the completed summons form for defendant Blogspot.com, the clerk's office is directed to effect service of this action on Blogspot.com, as set forth in this Order.

4. Defendants are directed to answer or otherwise respond to the complaint, and to object or otherwise respond to the motions docketed as Document Nos. 4-8 within twenty-one days of

service of this action.

SO ORDERED.

A handwritten signature in black ink, reading "Andrea K. Johnstone", written over a horizontal line.

Andrea K. Johnstone
United States Magistrate Judge

March 14, 2018

cc: Natasha DeLima, pro se